

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 35, 37 and 41-43 are in the case.

I. THE INTERVIEW

This will acknowledge the interview conducted with the Examiner (Mr. Borin) on May 4, 2005, during which the outstanding rejection was discussed. The Examiner's position is that the specification allegedly fails to provide an enabling disclosure with respect to amino acid sequences having at least 95% identity with SEQ ID NO:424. It is applicants' position that the specification does provide such an enabling disclosure. No agreement was reached during the interview.

II. THE 35 U.S.C. §112, FIRST PARAGRAPH, REJECTION

Claims 35, 42 and 43 remain rejected under 35 U.S.C. §112, first paragraph, on alleged lack of enablement grounds. This rejection is respectfully traversed.

As evidence of enablement, attached are copies of sequences from *P gingivalis* strains W83 (Accession No. AAQ65420) and W50 (Accession No. CAA10226.1). These sequences differ from SEQ ID NO:424 by a single amino acid at position 199 which is D in W83 and A in W50 and, therefore, represent enabled sequences having at least 95% identity to SEQ ID NO:424. *P gingivalis* strain W50 is disclosed in the specification at page 16, lines 27-30. Furthermore, the specification provides a discussion of allelic variants at page 13. The claim to a sequence having a sequence identity at least 95% to SEQ ID NO:424 is clearly intended to cover strain variation within the organism.

In light of the above, it is clear that the specification does provide an enabling disclosure with respect to sequences having at least 95% identity to SEQ ID No:424. Withdrawal of the outstanding 35 U.S.C. §112, first paragraph, rejection is accordingly respectfully requested.

II. ALLOWABLE SUBJECT MATTER

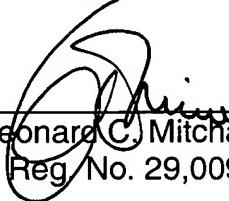
It is noted with appreciation that claims 37 and 41 are allowable. With the arguments presented above, it is believed that all of the claims in this case are now in allowable condition. Early notice to that effect is awaited.

Favorable action on this application is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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Telephone: (703) 816-4000
Facsimile: (703) 816-4100
Attachments: Copies of sequences from *P gingivalis* strains W83 (Accession No. AAQ65420) and W50 (Accession No. CAA10226.1).

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Protein

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|--------------------|------------|---------------|--------|-----------|-----------------------------------|--------------------------------------|---------|-------|
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LOCUS AAQ65420 1017 aa Lineage RCT 02-SEP-2003

DEFINITION ragA protein [Porphyromonas gingivalis W83].

ACCESSION AAQ65420

VERSION AAQ65420.1 GI:34396353

DBSOURCE accession AE017172.1

KEYWORDS

SOURCE Porphyromonas gingivalis W83

ORGANISM Porphyromonas gingivalis W83
Bacteria; Bacteroidetes; Bacteroidetes (class); Bacteroidales;
Porphyromonadaceae; Porphyromonas.

REFERENCE 1 (residues 1 to 1017)

AUTHORS Nelson,K., Fleishmann,R., DeBoy,R., Paulsen,I., Fouts,D., Eisen,J., Daugherty,S., Dodson,R., Durkin,A., Gwinn,M., Haft,D., Kolonay,J., Nelson,W., White,O., Mason,T., Tallon,L., Gray,J., Granger,D., Tettelin,H., Dong,H., Galvin,J., Duncan,M., Dewhurst,F. and Fraser,C.

TITLE Complete Genome Sequence of the Oral Pathogenic Bacterium Porphyromonas gingivalis Strain W83

JOURNAL J. Bacteriol. 185 (18), 5591-5601 (2003)
PURMED 12949112

REFERENCE 2 (residues 1 to 1017)

AUTHORS Nelson,K., Fleishmann,R., DeBoy,R., Paulsen,I., Fouts,D., Eisen,J., Daugherty,S., Dodson,R., Durkin,A., Gwinn,M., Haft,D., Kolonay,J., Nelson,W., White,O., Mason,T., Tallon,L., Gray,J., Granger,D., Tettelin,H., Dong,H., Galvin,J., Duncan,M., Dewhurst,F. and Fraser,C.

TITLE Direct Submission

JOURNAL Submitted (29-OCT-2002) The Institute for Genomic Research, 9712 Medical Center Dr., Rockville, MD 20850, USA

COMMENT Method: conceptual translation.

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 ORGANISM Porphyromonas gingivalis
 Bacteria; Bacteroidetes; Bacteroidetes (class); Bacteroidales;
 Porphyromonadaceae; Porphyromonas.
 REFERENCE 1
 AUTHORS Hanley, S.A., Aduse-Opoku, J. and Curtis, M.A.
 TITLE A 55-kilodalton immunodominant antigen of *Porphyromonas gingivalis* W50 has arisen via horizontal gene transfer
 JOURNAL Infect. Immun. 67 (3), 1157-1171 (1999)
 PUBMED 10024556
 REFERENCE 2 (residues 1 to 1017)
 AUTHORS Hanley, S.A.
 TITLE Direct Submission
 JOURNAL Submitted (17-NOV-1998) Hanley S.A., MRC Mol. Path., Oral Microbiology, St. Bartholomew's & The Royal Lon. Sch. of Med. & Dentistry, 32, Newark Street, London, E1 2AA, UK
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Blake Dawson Waldron

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